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EXAMINER
ORTIZ, XIOMARA Y

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2141	7

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Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

Office Action Summary	Application No. 09/746,501	Applicant(s) BOEHMKE, YUERGEN	
	Examiner Xiomara Y. Ortiz	Art Unit 2141	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *22 December 2000*.
2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-28* is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) *1-28* is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.
10)☒ The drawing(s) filed on *22 December 2000* is/are: a)☐ accepted or b)☒ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a)☐ All   b)☐ Some * c)☐ None of:
      1.☐ Certified copies of the priority documents have been received.
      2.☐ Certified copies of the priority documents have been received in Application No. _____.
      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)
1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date *4, 5, and 6*.
4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____ .

DETAILED ACTION

Drawings

1.   The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference sign(s) not mentioned in the description: fig.4 bus 147, fig. 6 device 89, fig.8 step 129 and 130, fig.9 step 160, and the entire fig.11A. A proposed drawing correction, corrected drawings, or amendment to the specification to add the reference sign(s) in the description, are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

2.   The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference character "52" in figure 2 has been used to designate both CPU and Driver Controller. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

3.   The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference character "94" in figure 6 has been used to designate both, a link between the ECP and the DCS, and a client application. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Specification

4.   The disclosure is objected to because of the following informalities: The specification p.22 line 26 where item 94 is a client computer software program and in p.23 line 3 item 94 is a DCS (digital cellular switch). Appropriate correction is required.

Claim Rejections - 35 USC § 112

5.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6.   Claim 10 and 19 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 10 and 19 recite the limitation "one variable". There is insufficient antecedent basis for this limitation in the claims. For examining purposes, the examiner will assume that claim 10 is depending on claim 9.

Claim 19 recites the limitation "method" according to claim 11 where claim 11 recites "system". There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

7.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

8.   Claims 1, 2, 4, 8, 9, 11, 12, 17, 18, 20, 25, 26, 27, and 28 is rejected under 35

U.S.C. 102(e) as being anticipated by Chen U.S Patent No. 6,574,464 B1.

Regarding claim 1, Chen discloses enabling access to the information associated

with the telecommunication network to one or more computer software programs stored

in a storage device that is in communication with a computing system; and enabling the

one or more software programs to access the modifications on a real-time basis when any

of the information associated with the telecommunication network is modified (Chen

col.4 lines 28-35 for telecommunication networks, col.3 lines 23-35 for programmable

computer (computing system) with at least one memory (storage device) including

computer-executable program code (software program) for accessing from a database a

record an trigger information corresponding to the subscriber and other codes for

changing billing rate for the service (modify) while the service is being provided (real-

time), and the title for real-time).

Regarding claim 2 and 12, Chen complies with all the limitations in claim 1 and

11, and also disclose storing the information associated with the telecommunication

network in a common database (Chen col.8 lines 54-59 for a MSSP (mobile service

switching point) associated with a Home Location Register, which is a database that

contains the records for the mobile subscribers (common database for multiple

subscribers) corresponding to each of the MT (mobile terminals) and col.4 lines 28-35 for telecommunication networks and the ability to have access to stored data).

Regarding claim 4, Chen complies with all the limitations in claim 1 and also discloses that at least a portion of the information associated with the telecommunication network is stored in a table that is shared by the one or more software programs (Chen col.3 lines 23-35 for program code for accessing from a data base (table) a record and trigger information corresponding to the subscriber and col.4 lines 28-35 for telecommunication networks and access to store data).

Regarding claim 8 and 17, Chen complies with all the limitations in claim 1 and 11, and also discloses executing the one or more computer programs on a plurality of computers interconnected as a network (Chen col.3 lines 45-50 for a computer readable storage medium storing a program for implementing a method of billing a subscriber for a service delivered over a network, col.4 lines 62-67 for SCP 9 being a node of the IN (intelligent network) shown in fig.1 where the IN can include more than one SCP 9 (plurality of computers), and abstract for a network system).

Regarding claim 9 and 18, Chen complies with all the limitations in claim 1 and 11, and also discloses querying a database associated with the telecommunication network information (Chen col.3 lines 23-35 for program codes for accessing from a database a record and trigger information); and determining the status of one or more variables associated with the telecommunication network (Chen col. 10 lines 50-65 for the detection of roaming status in either of the parties in order to change the billing rate accordingly, and abstract).

Regarding claim 11, Chen discloses a computing system including one or more computers having one or more processors for executing logic instructions associated with one or more computer programs and a first memory for storing the logic instructions to be executed (Chen fig.5 computer, col. 4 lines 52-55 for terminals for a subscriber to access the intelligent network and col.8 lines 54-59 for subscribers); a database server (adapter coupled to the computer system for interfacing with the telecommunication network), in communication with the computing system (Chen fig. 1), and a storage device in communication with the database server or the computing system for storing the information associated with the telecommunication network (Chen col.3 lines 14-23 for memory configured store a record and trigger information for the subscriber); and the logic instructions stored in the first memory cause the one or more processors to: enable access to the information associated with the telecommunication network to one or more computer software programs stored in a storage device that is in communication with a computing system; and enabling the one or more software programs to access the modifications on a real-time basis when any of the information associated with the telecommunication network is modified (Chen col.4 lines 28-35 for telecommunication networks, col.3 lines 23-35 for programmable computer (computing system) with at least one memory (storage device) including computer-executable program code (software program) for accessing from a database a record an trigger information corresponding to the subscriber and other codes for changing billing rate for the service (modify) while the service is being provided (real-time), and the title for real-time).

Regarding claim 20, is the apparatus for the system in claim 11, therefore it is rejected on the same basis.

Regarding claim 25, Chen complies with all the limitations in claim 20, and also

discloses one or more processors adapted to be interconnected to a network of computers

(Chen col.3 lines 23-35 for a programmable computer including a processor, col.11 lines

65-67-col.12 lines 1-6 for Internet (network of computers)).

Regarding claim 26, Chen discloses means for computing and a first memory

means for storing logic instructions to be executed by the computing means (Chen col.3

lines 23-35 for computer-executable program code stored in a memory in a

programmable computer); means for storing and manipulating a database in

communication with the computing system (Chen col.7 lines 1-8 for CCF storing billing

information in the call's detailed record, where the record is in the database col. 3 lines

29-31 and col.5 lines 35-40 for SMP managing subscriber and network information in the

SDB 11 (manipulating database)), the means for storing and manipulating the database

having a second memory for storing logic instructions to be executed thereon (it is

inherent that databases has logic instructions in order to function) and the means for

storing including information associated with the telecommunication network stored

thereon (Chen col. 7 lines 5-8 for storing billing information which is information

associated with the telecommunication network, abstract); and logic instructions stored in

the first memory means for: enabling access to the information associated with the

telecommunication network to one or more computer software programs stored in a

storage device that is in communication with a computing system; and enabling the one

or more software programs to access the modifications on a real-time basis when any of

the information associated with the telecommunication network is modified (Chen col.4

lines 28-35 for telecommunication networks, col.3 lines 23-35 for programmable

computer (computing system) with at least one memory (storage device) including

computer-executable program code (software program) for accessing from a database a

record an trigger information corresponding to the subscriber and other codes for

changing billing rate for the service (modify) while the service is being provided (real-

time), and the title for real-time).

Regarding claim 27, Chen discloses means for storing one or more software

programs and at least one control program; and means for computing coupled thereto for

executing logic instructions thereon (Chen col.3 lines 23-35 for computer-executable

program code stored in a memory in a programmable computer, and program code for

accessing from a database record and trigger information (control program)), the means

for computing being adapted for communicating with a means for storing and

manipulating a database (Chen fig.1 for computer 5, SSP, and SDB (database) where the

SSP contains the CCF, fig.2 which manage data from the database, col.6 lines 14-26 and

stores billing information in the record, col.7 lines 5-8, which is in the database, col3

lines 28-31); means for interfacing the means for computing with the telecommunication

network; the means for computing being operative for: enabling access to the information

associated with the telecommunication network to one or more computer software

programs stored in a storage device that is in communication with a computing system;

and enabling the one or more software programs to access the modifications on a real-

time basis when any of the information associated with the telecommunication network is

modified (Chen col.4 lines 28-35 for telecommunication networks, col.3 lines 23-35 for

programmable computer (computing system) with at least one memory (storage device)

including computer-executable program code (software program) for accessing from a

database a record an trigger information corresponding to the subscriber and other codes for changing billing rate for the service (modify) while the service is being provided (real-time), and the title for real-time).

Regarding claim 28, Chen discloses a set of computer instructions being operative with a computer adapted for communicating with a telecommunication network and adapted with a storage device (Chen fig.1), the set of computer instructions cause the computer to: enable access to the information associated with the telecommunication network to one or more computer software programs stored in a storage device that is in communication with a computing system; and enabling the one or more software programs to access the modifications on a real-time basis when any of the information associated with the telecommunication network is modified (Chen col.4 lines 28-35 for telecommunication networks, col.3 lines 23-35 for programmable computer (computing system) with at least one memory (storage device) including computer-executable program code (software program) for accessing from a database a record an trigger information corresponding to the subscriber and other codes for changing billing rate for the service (modify) while the service is being provided (real-time), and the title for real-time).

Claim Rejections - 35 USC § 103

9.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

10.   Claims 3, 13, and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chen U.S Patent No. 6,574,464 in view of Novak et al. U.S. Patent No. 6,393,419.

Regarding claim 3,13, and 21 Chen complies with all the limitations in claim 1, 11, and 20 but fails to disclose enabling a user operating the computing system, to modify data while maintaining the modified data secure from other users.

However Novak disclose a simultaneous multiple-client access for editing the database without data corruption (Novak col.3 lines 29-27), where data corruption is the inadvertent overwriting or modification to one client's data by another client (maintaining data modified secure from other users) (Novak col.2 lines 54-67).

Therefore at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the above invention suggested by Chen and combining it with the invention disclosed by Novak.

One of ordinary skill in the art would have been motivated to do this combination in order to ensure data integrity while allowing simultaneous multiple-client access for editing the database (Novak col.3 lines 29-37, and abstract).

11.   Claims 5, 6, 14,15, 22, and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chen U.S Patent No. 6,574,464 in view of Synthesize Derwent-acc-no 1999-434487.

Regarding claims 5, 14, and 22 Chen complies with all the limitations in claims 1, 11, and 20 but fails to disclose maintaining a log entry of access to the database.

However Synthesize disclose a database table that records the user access to the database (Synthesize's Basic Abstract-Novelty).

Therefore at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the above invention suggested by Chen and combining it with the invention disclosed by Synthesize.

One of ordinary skill in the art would have been motivated to do this combination in order to control the database access and to prevent double access of one user to the database and ensure reliable transactions processing (Synthesize's Basic Abstract-Advantage).

Regarding claims 6,15, and 23 the above combinations complies with all the limitations in claim 5, 14, and 22, and also complies with a log entry of access to the database by one or more users (Synthesize's Basic Abstract-Novelty for a database table that records the user access to the database).

12.   Claims 7, 16, and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chen U.S Patent No. 6,574,464 in view of Synthesize Derwent-acc-no 1999-434487 in further view of Tam U.S Patent No. 6,411,969 B1.

Regarding claim 7,16. 24, the above combination complies with all the limitations in claims 5, 14, and 22, but fails to disclose maintaining a log entry of access to the database by one or more software programs.

However Tam disclose a database management that perform several task as the use of database control for monitoring multi-program database access (Tam col.2 lines 15-25).

Therefore at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the above invention suggested by Chen in view of Synthesize and combining it with the invention disclosed by Tam.

One of ordinary skill in the art would have been motivated to do this combination in order to use a database management system to manage the database structures and keep the structures in some stable order while various application programs may be retrieving or changing the data (Tam col.2 lines 1-14).

13.   Claim 10 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chen U.S Patent No. 6,574,464 in view of Gopal et al. U.S Pub. No. 2001/0032263 A1.

Regarding claim 10 and 19, complies with all the limitations in claim 1 and 11, but fails to disclose at least a variable for emergency information associated with the telecommunication network.

However Gopal discloses a database, which includes information relating to the real time status and operation of the network and when a problem is identified a status update is reflected in the database. (Gopal p.3 [0029]).

Therefore at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the above invention suggested by Chen and combining it with the invention disclosed by Gopal.
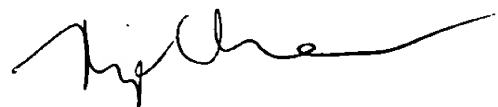
One of ordinary skill in the art would have been motivated to do this combination for data mining and monitoring performance parameters of message network (Gopal p.3 [0022]). This combination would have provided one of ordinary skills in the art with efficient and secure commercial communication over the Internet (Gopal p.1 [0001]).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Xiomara Y. Ortiz whose telephone number is (703) 305-6783. The examiner can normally be reached on Monday-Friday from 7:30AM to 4:00PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on (703) 305-4003. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Xiomara Y. Ortiz
Patent Examiner
Art Unit 2141

RUPAL DHARIA
SUPERVISORY PATENT EXAMINER